

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

MAR 23 2023

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

In re: APPLE INC. DEVICE  
PERFORMANCE LITIGATION,

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NAMED PLAINTIFFS AND  
SETTLEMENT CLASS MEMBERS,

Plaintiff - Appellee,

v.

SARAH FELDMAN; HONDO JAN,

Objectors - Appellants,

v.

APPLE INC.,

Defendant - Appellee.

No. 23-15416

D.C. No. 5:18-md-02827-EJD  
U.S. District Court for Northern  
California, San Jose

**ORDER**

The Mediation Program of the Ninth Circuit Court of Appeals facilitates settlement while appeals are pending. See Fed. R. App. P. 33 and Ninth Circuit Rule 33-1.

By April 3, 2023, counsel for all parties intending to file briefs in this matter are requested to inform Stephen M. Liacouras, Circuit Mediator, by email at [stephen\\_liacouras@ca9.uscourts.gov](mailto:stephen_liacouras@ca9.uscourts.gov), of their clients' views on whether the issues

on appeal or the underlying dispute might be amenable to settlement presently or in the foreseeable future. **Counsel are requested to include the Ninth Circuit case name and number in the subject line.** This communication will be kept confidential, if requested, from the other parties in the case. This communication should not be filed with the court.

For more detailed information about the Mediation Program and its procedures generally, please see the Mediation Program website:

**[www.ca9.uscourts.gov/mediation](http://www.ca9.uscourts.gov/mediation)**.

**The existing briefing schedule remains in effect.**

FOR THE COURT:

Virna Sanchez  
Deputy Clerk

vs/mediation